

AFFIDAVIT

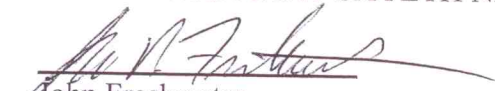
State of Ohio                     )  
  ) ss  
County of Franklin            )

Before me, the undersigned notary, personally appeared John David Freshwater, who having first been duly sworn, deposes and says:

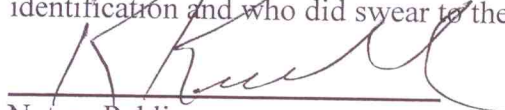
1. Affiant has personal knowledge of all matters set forth in this affidavit;
2. Affiant was interviewed by two investigators hired by the Mount Vernon City School District. According to the contract between the Mount Vernon City School District and the Mount Vernon Education Association affiant understands that Article 4, *Teaching Conditions*, Section 402, *Investigation of Complaints*, states, *The person against whom the complaint is made will be given the opportunity to provide a comprehensive written response to the complaint if he/she chooses to do so.* Even though I have never been a member of any union or the Mount Vernon Education Association, for the first time in my life I now understand I am protected by the union contract.
3. I was asked so many questions by the investigators that I'm glad I can go back and provide more information. When I was asked questions by the investigators I answered the best I could. I recorded my conversation with the interviewers because my attorney told me many times words can get misinterpreted or written wrong. So I taped the interview with a recorder. I've listened to the tape many times after the interview – at least ten times. I do not like the sound of my voice and all the um's and ah's I use when I speak. Each time I listened to the interview recording I thought of more stuff I wanted to add. So I am glad I can write a statement to help explain stuff in case you investigators do not ask me certain questions when we meet again next week on Wednesday on May 28, 2008. Because it is just my nature or habit to answer questions by repeating the question, it is my understanding I am to write and speak as if I were writing a letter or giving a speech to the world to explain things. It is my understanding I am trying to speak and write so that people could not misunderstand what I am saying. I know when I speak I am thinking of a million things and sometimes what I say can be confusing so it is my understanding to think, write and speak with a goal of communicating as clearly as I can.
4. FCA was formed here at the middle school about 17 years ago when Mr. Kuntz sent two students to me – well actually it was called crossclub first. Two students asked Mr. Kuntz if they could make crossclub and they needed a chaperone. Mr. Kuntz told me in the morning that he was going to send a couple of girls – 8<sup>th</sup> graders – to see me to see if I would be the teacher monitor for crossclub. Emily Rhoten and another girl, last name of Brandenburg, I can't remember her first name. It was odd when it first started because two teachers from the union came to the first 4, 5, 6 meetings and just sat there listening. They never said a word to me. I didn't care if they were there but it was odd they never said anything to me, like ask me any questions. There was no training for me for

crossclub – the students had their meetings and got other younger grades – 7<sup>th</sup> and 6<sup>th</sup> graders involved. About 8 years ago, maybe give or take a year, Rachel Thrift, a high school student organized FCA for the middle school. Rachel came to some of the meetings at the middle school when she was in high school and then Rachel talked to me about FCA at church. You know the middle school kids want to be like the high schoolers. Andrew Thompson was in that class. Rachel Thrift was a senior class president for FCA. I remember Matt Wilbur introduced me to Pat Street and I remember when the switch to FCA from crossclub was being made I asked Pat to explain to me what FCA was. At the time when Rachel was making the switch there was a controversy at the high school about stuff on the lockers – FCA posters on the lockers. Pat Street was there and there was some legal stuff going on so before FCA came to the middle school I wanted to know about FCA. Really, I didn't want to get involved with FCA if it was going to be like what was going on at the high school. Pat Street was coming from the Marion area so I said just meet me at my house. I remember Pat only had like 30 minutes to meet so my house is closer than the school. We met outside and he told me, Deottorre, Luke and Sarah were there – about FCA. No, he didn't give me any handouts or training – he talked mostly about the situation at the high school and what the students could do. I talked to Pat less than 5 times – I think he has spoken at FCA like twice, saw him at a banquet Matt Wilbur took me too down in Columbus. I really don't know him well. My son Luke and Sarah my oldest daughter were in FCA here and at the high school. Jordie was the FCA leader this year. I told Andrew Thompson that I was passing the torch to him after Jordie was done this year. I did it long enough. Maybe I should have gotten out when Mr. White came in. Lori Miller did the 7<sup>th</sup> grade this year and Dino did the 6<sup>th</sup> grade.

FURTHER AFFIANT SAYETH NAUGHT.

  
John Freshwater

The foregoing affidavit was sworn to and acknowledged before me this May 25, 2008, by John Freshwater, who is personally known by me or who provided satisfactory identification and who did swear to the truthfulness of the above.

  
Notary Public



K KELLY HAMILTON, ATTORNEY AT LAW  
Notary Public  
in and for the State of Ohio  
My Commission Has No Expiration Date  
Section 147.03 R.C.